



The Kayenta Township Commission

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PUBLIC NOTICE

PROPOSED RESOLUTION FOR OFFICIAL COMPILATION OF KAYENTA TOWNSHIP ORDINANCES AND REGULATIONS; ENACTING A NEW CODE OF CONDUCT FOR COMMISSIONERS AND APPOINTED OFFICIALS; AND ACKNOWLEDGING CODES, POLICIES AND PROCEDURES, MANUALS, AND PLANS APPLICABLE IN KAYENTA TOWNSHIP

Pursuant to Section 2-107 of the Administrative Rules and Procedures Ordinance, the Kayenta Township Commission hereby provides notice of proposed action to formally compile its ordinances and regulations; enact a new Code of Conduct for Commissioners and Appointed Officials; and acknowledge applicable codes, policies and procedures, manuals and plans.

Public notice will be for a period of 30 days, commencing May 3rd, 2016. Within this 30-day period, interested parties may submit to the Commission for its consideration written statements, arguments, and views. Adoption of the proposed amendments will be on the Kayenta Township regular meeting agenda for June 13, 2016.

The preamble for a resolution adopting the Kayenta Township Official Compilation of Ordinances and Regulations; enacting a new Code of Conduct for Commissioners and Appointed Officials; and acknowledging codes, policies and procedures, manuals, and plans applicable in the Kayenta Township is as follows:

1. The Kayenta Township Commission ("Commission") has the general authority and responsibility to govern for the welfare of the Kayenta Township ("Township") and its residents, including the enactment of such ordinances, rules and regulations as it deems in the best interest of the Township; and
2. Pursuant to Resolution CN-86-85 (Nov. 5, 1985), the Navajo Nation Council ("Council") approved the "Kayenta Township Pilot Project," which included authorities for local land use planning and land withdrawals as well as for processing business leases, 2 N.N.C. §§ 4082, 4084 (1995). This resolution also approved a plan of operation for the pilot project and the appointment of a Kayenta Planning Board to carry out such pilot project; and

3. Pursuant to Resolution NO. ACN-181-86 (Nov. 13, 1986), the Advisory Committee of the Council approved the withdrawal of 3,606.43 acres, more or less, of Navajo trust lands to establish the official boundaries of the Township; and
4. Pursuant to Resolution CJA-3-96 (Jan. 19, 1996), the Council replaced the appointed Kayenta Planning Board with an elected Kayenta Township Commission.
5. Pursuant to Resolution CJY-42-3 (July 25, 2003), the Council established the Township as Home Rule municipality. This resolution was vetoed by the Navajo Nation President on August 8, 2003, but the Council overrode the veto by Resolution CAU-47-03 (Aug. 29, 2003); and
6. Pursuant to Resolution KTCMY-27-05 (May 9, 2005), the Commission adopted its own Home Rule Ordinance that outlined the scope and authority of the Township, formal boundaries of the Township, authority of the Commission and its officers, and governmental structure; and
7. Pursuant to its authority and governmental structure, the Township has, over the years, enacted various ordinances, regulations, rules, codes, policies and procedures, manuals, and plans to fulfill its governing responsibility for the welfare of the Township and its residents.
8. Ordinances and regulations which address Home Rule, Administrative Procedures, Elections, Finance and Fiscal Policy Administration, Taxation and Tax Administration, Business Site Leasing, Building Codes, Civil Trespass, Solid Waste, Sex Offender Registration and Reporting, Alcohol and Controlled Substances, Animal Control, and Zoning have been duly-enacted by the Commission.
9. It has come to the attention of the Commission that the Township needs to formally compile its ordinances and regulations in an official, organized and accessible manner which clearly indicates to Township officials, Township employees, and the public the applicable, current and enforceable ordinances and regulations. This compilation will be known as the Kayenta Township Official Compilation ("Official Compilation").
10. The Official Compilation will be distinguished by printing of the Township seal on the index page to all official ordinances and regulations, by the printing of the number of the enacting resolution printed in the lower right hand corner of each page of the Township's official ordinances and regulations, and by printing on ivory bond paper. Only enactments so marked will be recognized as the Official Compilation.
11. When amendments, additions or repeals are made to the official ordinances and regulations, they will be incorporated into the Official Compilation as appropriate and will also be printed as designated in paragraph 10, above.
12. The Official Compilation will not contain any repealed, outdated, or otherwise invalid ordinances or regulations. Nor will they contain any redline or other draft versions of the Township's ordinances and regulations.
13. It shall be the responsibility of the Town Manager or his or her designee to ensure that the Official Compilation is kept current and in the manner required by this resolution.
14. The Kayenta Township Official Compilation shall contain the following ordinances and regulations.

- Chapter 2** **KTC Administrative Rules and Procedures**, Sections 2-101 through 2-107, KTCJN-19-12
- Chapter 3** **Elections**, Sections 4-101 through 4-108, KTCAU-33-06
- Chapter 4** **Finance and Fiscal Administration**, Sections 4-101 through 4-114, KTCS-15-14
- Fiscal Policies, Rules, Regulations and Procedures**, KTCAU-70-11 and KTCA-14-13
- Chapter 5** **Reserved**
- Chapter 6** **Reserved**
- Chapter 7** **Reserved**
- Chapter 8** **Taxation**

Subchapter 1, Tax Administration, Sections 8-101 through 8-141, KTCA-06-14.

Tax Administration Regulations, Sections 8.101 through 8.136, KTCA-06-14.

Subchapter 2, Hotel Occupancy Tax, Sections 8-201 through 8-210, KTCM-10-15

Hotel Occupancy Tax Regulations, Sections 8.201 through 8.215, KTCM-10-15

Subchapter 3, Business Sales Tax, Sections 8-301 through 8-316, KTCF-03-08

Business Sales Tax Regulations, Sections 8.301 through 8.313, KTCF-03-08

Chapter 9 **Leasing**

Subchapter 1, Business Site Leasing, Sections 9-101 through 9-110, KTCF-03-08

Business Site Leasing Regulations, Sections. 9.101-9.802
KTCF-03-08

Chapter 10 **Reserved**

Chapter 11 **Reserved**

Chapter 12 **Civil Public Trespass**, Sections 12-101 through 12-124, KTJA-05-13

- Chapter 13** **Solid Waste**, Sections 13-101 through 13-510, KTCF-05-16
- Chapter 14** **Sex Offender Registration and Reporting**, Sections 14-101 through 14-111, KTCO-89-11
- Chapter 15** **Alcohol and Controlled Substances**, Sections 15-101 through 15-111, KTCJA-04-13
- Chapter 16** **Animal Control**, Sections 16-101 through 16-902, KTCA-14-06

15. The ordinances and regulations to be included in the Official Compilation of the Kayenta Township are attached to this resolution as Exhibit A. Any changes to any of the enactments contained in Exhibit A are technical, clarifying or renumbering, not substantive.
16. Officers and members of the Kayenta Township Commission are governed by various ethics laws and regulations, including the Navajo Nation Ethics in Government Law, 2 N.N.C. § 4085, and Section 2-105, Rule 15 of the KTC Administrative Rules and Procedures Ordinance.
17. The Commission believes that it is in best interest of the Township to have an additional specific Code of Conduct for Township Commissioners and Appointed Officials. That Code of Conduct is attached as Exhibit B.
18. The Township's Building Code was originally enacted by Resolution KTCD-28-13. The Commission finds it in the best interest of the Township to remove this Code, which requires routine updating and monitoring, from the Township's ordinance compilation and locate it with the Township's other policies and procedures, manuals, plans and codes.
19. The Township's Zoning Code was originally enacted as the Kayenta Township Zoning Ordinance (KTCA-13-12). The Commission finds it in the best interest of the Township to remove this ordinance from the Township's ordinance compilation and locate it with the Township's other policies and procedures, manuals, plans and codes.
20. The following codes, policies and procedures, manuals, and plans, attached collectively as Exhibit C, have also been duly-enacted by the Commission or duly implemented by the Town Manager:
- (1) Airport Standards Manual Kayenta Airport, KTCS-26-12
 - (2) Building Code, KTCD-28-13
 - (3) Business Site Leasing Administration Plan, KTCF-03-08
 - (4) Business Site Management Plan, KTCF-03-08
 - (5) Code of Conduct for Commissioners and Appointed Officials, Ex. B hereto
 - (6) Credit Card Policies and Procedures, KTCA-16-07
 - (7) Drug Free Workplace Policy and Procedures, KTCF-09-10
 - (8) Donation Policy, KTCMY-40-11
 - (9) Information Technology Acceptable Use Policy, KTCF-08-10
 - (10) International Green Construction Code, KTCF-12-11
 - (11) Personnel Policies and Procedures Handbook (Revised April 13, 2015)
 - (12) Plan of Operation for Kayenta Transfer Station, KTCD-047-98
 - (13) Policies and Procedures for [Commissioner] Reimbursement of Travel Expenses and Stipends, KTCMA-06-12
 - (14) Procurement Policy and Procedures Manual, KTCO-88-11

- (15) Property Policy and Procedures, KTCO-60-10
- (16) Reimbursement of Travel Expenses Policies and Procedures, KTCF-09-05
- (17) Records Management Policy and Procedures, KTCJY-39-10
- (18) Travel Policies and Procedures Manual, KTCAU-46-09
- (19) Zoning Code, KTCA-13-12

Due to size, the Township is unable to attach a copy of the proposed Official Compilation (Ex. A), the proposed Code of Conduct for Township Commissioners and Appointed Officials (Ex. B) and the codes, policies and procedures, manuals and plans listed in paragraph 20, above, (Ex. C), to this proposed notice. However, a copies of these documents are available for review by the public at the Township's offices during regular business hours for the 30-day notice period.